

# DISASTER TO THE YELLOWSTONE PARK ELK HERDS

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*Let us put the blame where it belongs, and guard against a repetition. The park should be enlarged to include winter as well as summer range for the elk.*

During the late fall of this year (1933), and the coming winter, the elk herds of Yellowstone National Park are faced with one of the greatest and most cruel disasters in the history of the park.

It is conceded by the officials of the National Park Service, the U. S. Forest Service and the State Game Commission of Wyoming that there is scarcely any forage available for the elk in their winter range this year, and that a lingering death by starvation and cold faces a large percentage of the herds.

It is further claimed that nothing can now be done to avert or even mitigate this disaster.

Excessive grazing by cattle which has been permitted by the authorities on the government lands over which the elk range in winter, has not only consumed the scanty growth of forage of last summer, which was exceptionally dry, but the excessive grazing allowed for many years has so worn bare and trampled the ground, destroying the plant growth and causing erosion by wind and rain, that the range is so exhausted that years will be required to bring it back.

In the past the Yellowstone elk have repeatedly faced desperate conditions, and much money has often been spent in feeding them with hay in winter. Now, owing to the depression there is no money to buy hay, aside from the scarcity of that article in that region due to the drought of the past summer, and of the difficulty or impossibility that now exists of getting it where it is most needed. Some are to be fed with cottonseed cake or corn, but even this unnatural and too concentrated food can be made available to a limited extent and in certain places only.

In this deplorable state of things (which more foresight and less yielding to the selfishness and greed of the people who assume a "right" to use the public lands might have averted) the only course the officials are taking is to try to get as many as possible of the elk killed by hunters before starvation and the disease and weakness it brings on does the work.

The Wyoming Game Commission planned for the slaughter of 5000 animals, or over one quarter of the southern herd of the Yellowstone Park (those which migrate southward from the park into Wyoming) by opening up areas near the park that have been kept as elk refuges, and lengthening the open season until November 15th, when the region will be deep in snow and the animals helpless.

While no information has yet been received the "sportsmen" of that region have undoubtedly, as in the past, eagerly seized the opportunity for an orgy of butchery (see page 7 for an account of this "sport"). Continuing the open season until the middle of November is especially to be condemned, as even the animals that survive are scattered and driven by fear of the hunters into regions where nothing but death by starvation can possibly await them.

How many years of such "conservation" will it take before there are no more elk?

### *Such a Disaster Must Not Be Allowed to Happen Again*

The Yellowstone Park elk herds contain by far the majority of the elk that still exist. The preservation from extinction of this magnificent animal depends on saving the Yellowstone herds.

### *Causes Of, and Responsibility For, the Present Conditions*

As is well known, Yellowstone Park, though our most important big game refuge, has its boundaries so badly drawn that it contains almost exclusively land of high elevation from which much of the game, especially the elk, must migrate in winter to find forage and refuge from the intense cold.

Yellowstone Park is in fact only a summer game refuge. Congress has never remedied this defect, although most of the land about the park is publicly owned, only scantily or not at all inhabited, and of no economic importance, and might perfectly well be included in the park.

The National Park Service gives the elk splendid protection in summer, but at other seasons is unable either to protect the elk from hunters, or to protect the land where they range in winter from grazing of stock which leaves no forage for the game. Stock raising on the game range also introduces diseases which are far more destructive to the game than to domestic stock.

Once outside the park the game is subject to the open seasons allowed by the game laws of the State (in the case of the southern elk herd the State of Wyoming) into which it passes, with such results as those described on page 7 of this pamphlet.

The question may be raised whether the federal government has not the right to regulate or stop entirely the destruction of the game on the national forest lands in the vicinity of the park, for this is where most of this destruction takes place. *It most assuredly has that right through its ownership of the lands.* But the Department of Agriculture, and specifically the Forest Service, has always been restrained from assuming this important task on the ground of an old opinion of Attorney-General P. C. Knox dated November 29, 1901, to the effect that the Secretary of the Interior had no authority to restrict or prohibit hunting on any public lands without express authorization from Congress.\* This opinion has not, as far as we are aware, been given any real test in the courts.

It is a condition that needs correcting if the American people cannot prevent trespassers from exterminating the wild life on the lands which the people own, without the lengthy and difficult process of getting special legislation through Congress for every particular area that needs protection. The results to our wild life are disastrous, yet Congress has done nothing to remedy this state of affairs by a general enactment of clear and definite meaning.

Grazing on the national forest lands is in charge of the Forest Service, but this bureau has never in the past fulfilled the responsibility of so con-

\* See Vol. 23 (1902), Opinions of the Attorneys-General of the United States, pages 589-594.

trolling it as to reserve sufficient forage for the Yellowstone Park elk, nor has it adequately cooperated with the National Park Service in other ways for their preservation. Destructive over-grazing has been permitted that years of protection cannot fully remedy, since serious erosion has resulted. The new spirit that Secretary Wallace has brought into the Department of Agriculture, and change of personnel in the Forest Service give hope that the abuses of grazing privileges that prevail so widely and destructively in the national forests are doomed, but so extensive are these abuses, and so powerful politically, and so firmly entrenched in what they assume to be their "rights" are the interests that are profiting by them, that any victory over them that may be won is likely to come too late to save the elk.

The American public has no idea of what has been the hypocrisy, deceit, misrepresentation of conditions and concealment of vitally important facts in the reports and other publications of the government bureaus and in official letters of many of their higher officials—people from whom the public has a right to expect to hear the truth—by the aid of which the abuse of grazing privileges and the destruction of the Yellowstone Park game have been enabled to go on year after year.

#### TRIVIAL RECEIPTS BY THE GOVERNMENT FOR THE GRAZING PRIVILEGES CLAIMED TO BE SO "IMPORTANT" THAT THE ELK MUST BE EXTERMINATED IN ORDER TO CONTINUE THEM.

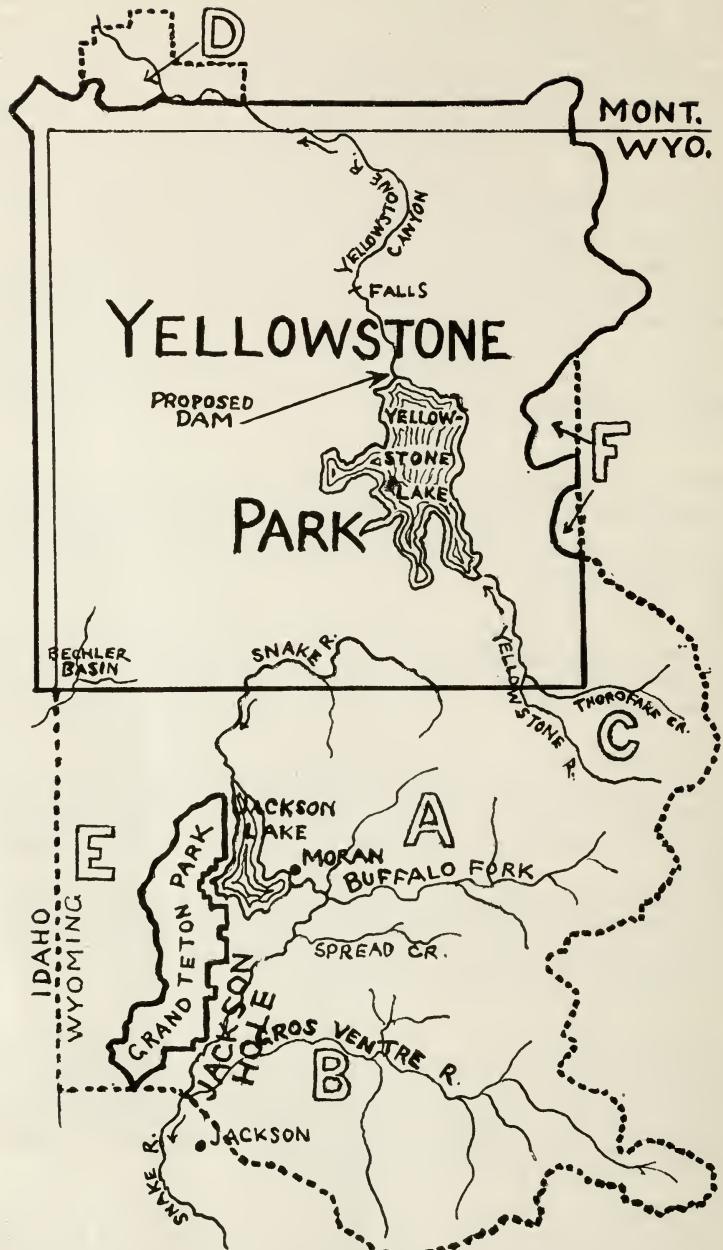
According to information received from the United States Forest Service only the relatively insignificant sum of \$8,049 was collected in 1933 in grazing fees in the *entire Teton National Forest* where permits for 13,862 cattle and horses and 20,000 sheep (an excessive and destructive number) were issued!

But there has been no proposition to reserve more than a part of the forest for the elk. In the part of it proposed for reservation in this pamphlet (see map on page 4) the Forest Service states that 7,284 cattle and horses and no sheep were grazed, and the fees cannot have exceeded about \$3,500!

For such trifling considerations this great nation, whose annual expenditures are measured in billions, is prohibited from using a few square miles of its *public* lands for enlarging its national park and saving from extinction such a magnificent game animal as the elk!

#### ENLARGEMENT OF YELLOWSTONE PARK, JOINING IT UP WITH THE NEAR-BY GRAND TETON NATIONAL PARK, AND INCLUDING SUFFICIENT WINTER RANGE FOR ELK HERDS OF THE PRESENT REDUCED SIZE, IS THE PROPER AND ONLY PRACTICABLE REMEDY.

The opposition comes mainly from local people who wish to continue their exploitation of the public lands for their own profit and keep on killing the park game, and in this they are backed up by the Congressional lobbies of the cattle and sheep interests, and behind these the great meat packing industries, which resent the slightest curtailment of their opportunities for using the lands that do not belong to them for their own benefit.



*Map of Yellowstone and Grand Teton National Parks to Show the  
Areas that Ought to Be Added to Provide Winter  
Range for the Game and Unite the Two Parks*

AREAS A AND B.—The northern part of the Jackson Hole region and the watersheds of the Buffalo Fork and Gros Ventre River. This is the most important wintering area of the southern elk herd of the park. Most of the land is publicly owned, and the majority of the private holdings have been acquired and are offered free to the nation for enlarging the park by Mr. John D. Rockefeller, Jr. Acceptance of the gift is being blocked by selfish and unscrupulous local opposition.

AREA C.—The headwaters of the Yellowstone River and its tributary Thorofare Creek. A beautiful region of no economic importance; very desirable for the park. Publicly owned. Its addition to the park is being blocked by a few people who wish to hunt there or guide hunting parties. No other reasons against including it.

AREA D.—A small area in the Yellowstone River valley below (north of) the park, important as winter range for the northern elk herd. Mostly privately owned, making its addition difficult at the present time.

AREA E.—A strip on the west slope of the Teton Mountains (between the crest and the Wyoming-Idaho boundary). Important as winter range for Mountain Sheep. Probably all publicly owned.

AREA F.—Two basins originally in Yellowstone National Park but eliminated in 1929 by a tricky piece of legislation, apparently because people wanted to hunt there. Their restoration to the park is recommended.

NOTE.—The addition to Yellowstone Park of most of Area A, and Areas C, D, and E is recommended in the official publication of the Interior Department published in 1933, entitled "Fauna of the National Parks of the United States," by Geo. M. Wright, Joseph Dixon and Ben M. Thompson.

CONTRAST THE PRACTICALLY PERFECT PROTECTION FROM PERSECUTION AND THE ABUNDANT FOOD SUPPLY AND PROSPEROUS CONDITION OF THE ELK AND OTHER GAME DURING THE SUMMER WHEN THEY ENJOY THE PROTECTION OF THE NATIONAL PARK, WITH THE WHOLESALE DESTRUCTION BY HUNTERS AND STARVATION THAT IS THEIR LOT IN THE NATIONAL FORESTS AND OTHER LANDS OUTSIDE IT.

Long experience has shown that cooperation between the National Park Service, the Forest Service and the authorities of Wyoming and Montana for protecting the elk when they leave the park and assuring them forage has not been secured and permanently maintained. Official jealousies, the view held by many local residents and some of the officials that the elk are merely a nuisance which they would be glad to be rid of, the disposition to neglect or postpone troublesome problems and to "pass the buck," and subordination of national interests to small local and political considerations all combine to render such cooperation impossible. Responsibility and authority must be centralized. The park authorities should be able to protect the park game winter and summer; this applies not only to the elk, but also to the antelope, moose and mountain sheep, which also range outside the park to some extent.

To allow cattle to consume the winter forage of the elk and then spend several times the trifling grazing fees in the futile effort to provide hay for the starving animals is the height of stupidity.

*See Map on Page 4 Showing How the Yellowstone and Grand Teton Parks Should Be Extended and United*

The area it will be necessary to add is extensive, but fortunately most of the land is already publicly owned, nearly or quite uninhabited, and of small or insignificant economic importance. The private holdings and ranches are mostly in, or in the vicinity of Jackson Hole, and through the generosity of Mr. John D. Rockefeller, Jr., who has financed the purchasing of a large part of these private lands, and offers them to the government free if the park is enlarged, no great expense now stands in the way of making Yellowstone Park into a really effective all-year big game refuge. Is the nation going to miss this opportunity?

The necessary legislation for accepting Mr. Rockefeller's gift and enlarging and uniting the two parks should be passed by Congress this winter (1933-1934) in order that no such disastrous conditions for the elk as now prevail can arise again.

It is, however, to be hoped that Mr. Rockefeller will firmly insist as the condition of his making the gift of these lands that an addition of public lands adequate to provide winter range for the game be made. The so-called "Jackson Hole plan" which was under consideration during the past administration proposed only a small addition in the Jackson Hole region (not even uniting the Grand Teton and Yellowstone Parks!) and would not be even an approach to a settlement of the winter range problem. That problem should be dealt with now.

## A WYOMING ELK HUNT

The following statements about the Yellowstone elk and the sport of hunting them were written by a former official Park Naturalist of Yellowstone Park and may be accepted as reliable. They apply for the most part equally well to conditions today, although the situation is worse now than at that time:

"Even this last year, the elk were driven out of the park by early snows and five thousand hunters swarmed to the scene. Over two thousand elk were secured, and another thousand were wounded and eventually died. Now, you may ask, why should not these hunters have these elk? When a man takes his rifle, hires guides and horses, and goes off into the mountain to hunt elk, he enjoys the change of scene, enjoys matching his skill and endurance against that of his quarry, and later comes home full of renewed life and energy. But if this is the picture you have of these five thousand Yellowstone hunters, dismiss it from your minds. The picture really is a scene in the cold gray morning light when a band of elk, half-starved because the snow covers the forage in the park, starts up the mountain slope across the park boundaries. Nothing happens until the animals have gone a mile beyond the boundary and too far readily to get back again. Then the slaughterers and the butchers that have been waiting, rush out, surround the hapless elk, and begin shooting with Winchesters and pump-guns into the bewildered, huddled band. At times an elk, perhaps wounded, dashes out and through the encircling line. But that encircling line closes in and mercilessly fires into the remaining elk until all have fallen. Sometimes the hunters even continue shooting into the fallen bodies 'for fear one will get away.' Then all these mighty 'sportsmen' rush forward and each claims an elk, saying 'this is the one I shot.' Naturally each one refrains from claiming more elk than his license allows him. But often there are more elk killed than there are licenses. In that case, the superfluous elk have merely been 'unfortunate,' and are allowed to lie where they have fallen; such has been the scene of slaughter enacted over and over again this last winter, until more than three thousand elk have been killed.

"And the blame falls squarely on the state game commissions. For in Montana and Wyoming they have the power to pre-close the elk-killing season if they see fit to do so. And this winter they did not see fit to act."—M. P. Skinner, in *Journal of Mammalogy*, vol. IX, page 317, November 1928.

"As for the annual increase of the elk, there is none, and has been none for many years.

"... Back in 1900, when I first knew the region, there were 75,000 elk in it, in 1910 there were still 50,000 elk; but in 1925 there were only 30,000 elk left, and I doubt if there are more than 25,000 elk in the region today. Furthermore, this number keeps right on dwindling, until we are faced by the fear that another devastating winter like that of 1919-1920 may decimate the present band.

"When it comes to human enemies of the elk, we know enough to say that the present elk kill is far too great and that the hunting now falls too heavily on the mature bulls. From a series of counts

for many years, I have found that a herd of elk will raise only about six per cent of its number to maturity each year. That is, in the present herd of 25,000 elk, only six per cent, or 1,500 elk, reach maturity at about four years of age."—M. P. Skinner, in *Journal of Mammalogy*, vol. IX, pages 310 and 316, November 1928.

### *Other Menaces to Yellowstone Park*

The public must not forget that schemes for trimming areas out of the national parks for exploitation for private gain, or for destructive exploitation of resources within the park limits never die:—they may be temporarily blocked and silenced, but they always come to life at the first opportunity.

The United States Forest Service has for years been trying to get possession of that part of Yellowstone Park which lies south of the Snake River, a strategic area vital to the future safety and enlargement of the park. In 1929 the Forest Service did succeed in having two areas, totaling 79 square miles of park land, eliminated and turned over to its control, thus breaking into the boundaries that had held intact for 50 years and setting a precedent dangerous to the park.

The proposed grab of the Bechler Basin in the southwest corner of Yellowstone Park is not dead, but only "playing 'possum."

### *The Proposed Yellowstone Lake Dam Still a Dangerous Menace*

The plan to dam Yellowstone Lake and convert it into an irrigation reservoir received preliminary authorization by Congress in 1932, evidently with the connivance of high officials in the Interior Department under the administration then in office. No serious obstacle except the firm and public-spirited opposition of Secretary of the Interior Ickes, who has strongly denounced this outrage, now appears to stand in the way of the consummation of the project. But what assurance is there that some successor of Secretary Ickes may not favor or connive at the scheme as his predecessor apparently did?

The law above referred to (Public Law 128, 72nd Congress, approved June 14, 1932) *has no time limit*. Once the States of Wyoming and Montana have arrived at an agreement, the possibility of quietly slipping an obscurely worded but final and irrevocable authorization for the dam through Congress *will be a permanent and ever present menace to the park*.

That law should at once be repealed or amended to exclude application to Yellowstone Park. Can anybody who has the welfare and safety of Yellowstone Park at heart oppose such repeal or amendment?

## THE EMERGENCY CONSERVATION COMMITTEE

MRS. C. N. EDGE, Chairman

734 Lexington Avenue, New York City

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